

Americans: skyrocketing gas prices. The cost for an average American to fill up his or her car has been rising steadily over the past 3 months, and the price of a barrel of oil hit a record high 2 weeks ago.

It is absolutely crucial that we build up our own domestic supply of oil in order to decrease our dependence on foreign-born fossil fuels. Drilling off the Outer Continental Shelf and opening the ANWR to oil exploration are two Republican initiatives for strengthening our domestic supply.

In addition, Republicans have supported tax credits for the production and use of ethanol and biodiesel. We have also offered incentives for increased refinery capacity and have created stiffer penalties for price gouging at the pump.

Mr. Speaker, I remain absolutely committed to working with my colleagues on both sides of the aisle to alleviate the problems of high gas prices and our utter dependence on foreign oil.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

#### MOUNT HOOD STEWARDSHIP LEGACY ACT

Mr. WALDEN of Oregon. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5025) to protect for future generations the recreational opportunities, forests, timber, clean water, wilderness and scenic values, and diverse habitat of Mount Hood National Forest, Oregon, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5025

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Mount Hood Stewardship Legacy Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Implementation.
- Sec. 3. No reduction in Mount Hood National Forest funding.

#### TITLE I—WILDERNESS AREA DESIGNATIONS

- Sec. 101. Findings and purpose.
- Sec. 102. Designation of wilderness areas, Mount Hood National Forest.
- Sec. 103. Administration of wilderness areas.
- Sec. 104. Maintenance and replacement of foot bridges in wilderness areas.

#### TITLE II—WILD AND SCENIC RIVER DESIGNATIONS

- Sec. 201. Findings and purpose.

- Sec. 202. Wild and scenic river designations, Mount Hood National Forest.

- Sec. 203. Relation to Middle Fork Irrigation District.

#### TITLE III—RECREATION

- Sec. 301. Findings and purpose.
- Sec. 302. Retention of Mount Hood National Forest land use fees from special use authorizations.
- Sec. 303. Use of funds in special account to support recreation.
- Sec. 304. Annual reporting requirement.
- Sec. 305. Mount Hood National Forest Recreational Working Group.
- Sec. 306. Consideration of conversion of forest roads to recreational uses.
- Sec. 307. Improved trail access for persons with disabilities.

#### TITLE IV—TRANSPORTATION

- Sec. 401. Findings and purpose.
- Sec. 402. Mount Hood region defined.
- Sec. 403. Transportation plan.
- Sec. 404. Study regarding gondola connection and intermodal transportation center.

#### TITLE V—FOREST AND WATERSHED STEWARDSHIP

- Sec. 501. Findings and purpose.
- Sec. 502. Forest stewardship assessment.
- Sec. 503. Sustainable biomass utilization study.
- Sec. 504. Watershed management memorandum of understanding.

#### TITLE VI—CRYSTAL SPRINGS WATER- SHED SPECIAL RESOURCES MANAGE- MENT UNIT

- Sec. 601. Findings and purpose.
- Sec. 602. Establishment of Crystal Springs Watershed Special Resources Management Unit.
- Sec. 603. Administration of Management Unit.
- Sec. 604. Acquisition of lands.
- Sec. 605. Effective date.

#### TITLE VII—LOCAL AND TRIBAL RELATIONSHIPS

- Sec. 701. Findings and purpose.
- Sec. 702. First foods gathering areas.
- Sec. 703. Forest Service coordination with State and local governments.
- Sec. 704. Savings provisions regarding relations with Indian tribes.
- Sec. 705. Improved natural disaster preparedness.

#### TITLE VIII—LAND CONVEYANCES

- Subtitle A—Cooper Spur-Government Camp Land Exchange
  - Sec. 801. Findings and purpose.
  - Sec. 802. Cooper Spur-Government Camp Land Exchange.
  - Sec. 803. Treatment of Inn at Cooper Spur and the Cooper Spur Ski Area.
  - Sec. 804. General provisions.
- Subtitle B—Other Land Exchanges
  - Sec. 811. Land exchange, Port of Cascade Locks-Pacific Crest National Scenic Trail.
  - Sec. 812. Hunchback Mountain land exchange, Clackamas County.

#### SEC. 2. IMPLEMENTATION.

References in this Act to the Secretary of Agriculture or the Secretary mean the Secretary of Agriculture, acting through the Forest Service.

#### SEC. 3. NO REDUCTION IN MOUNT HOOD NA- TIONAL FOREST FUNDING.

Nothing in this Act is intended to authorize a reduction in the amount of funds appropriated or otherwise made available for the Mount Hood National Forest below the average annual funding level provided for the national forest during fiscal years 1997 through 2006.

#### TITLE I—WILDERNESS AREA DESIGNATIONS

##### SEC. 101. FINDINGS AND PURPOSE.

The purpose of this title is to designate approximately 77,216 acres of National Forest System land in the Mount Hood National Forest as wilderness. The most recent designation of wilderness in the Mount Hood National Forest occurred in 1984, and the designation of an additional 77,216 acres by this title represents a 41 percent increase in the amount of wilderness designated in the national forest.

##### SEC. 102. DESIGNATION OF WILDERNESS AREAS, MOUNT HOOD NATIONAL FOREST.

(a) DESIGNATION.—In furtherance of the purposes of this title and the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the Mount Hood National Forest are designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

(1) BIG BOTTOM WILDERNESS.—National Forest System land comprising approximately 1,330 acres, as generally depicted on the map entitled “Big Bottom Wilderness” and dated June 2006, which shall be known as the “Big Bottom Wilderness”.

(2) BULL OF THE WOODS WILDERNESS ADDITION.—National Forest System land comprising approximately 4,717 acres, as generally depicted on the map entitled “Bull of the Woods Wilderness” and dated June 2006, is incorporated in and shall be considered to be a part of the Bull of the Woods Wilderness, as designated by section 3(4) of the Oregon Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98-328).

(3) COOPER SPUR WILDERNESS.—National Forest System land comprising approximately 2,038 acres, as generally depicted on the map entitled “Cooper Spur Wilderness” and dated June 2006, which shall be known as the “Cooper Spur Wilderness”.

(4) GORGE RIDGELINE WILDERNESS.—National Forest System land comprising approximately 22,577 acres, as generally depicted on the map entitled “Gorge Ridgeline Wilderness” and dated June 2006, which shall be known as the “Gorge Ridgeline Wilderness”.

(5) MOUNT HOOD WILDERNESS ADDITIONS.—National Forest System land comprising approximately 4,672 acres, as generally depicted on the maps entitled “Mount Hood Wilderness (Elk Cove/Mazama Addition)” and “Mount Hood Wilderness (Sandy Addition)” and dated June 2006, is incorporated in and shall be considered to be a part of the Mount Hood Wilderness, as designated by section 3 of the Wilderness Act (16 U.S.C. 1132).

(6) ROARING RIVER WILDERNESS.—National Forest System land comprising approximately 37,749 acres, as generally depicted on the map entitled “Roaring River Wilderness” and dated June 2006, which shall be known as the “Roaring River Wilderness”.

(7) SALMON-HUCKLEBERRY WILDERNESS ADDITIONS.—National Forest System land comprising approximately 4,133 acres, as generally depicted on the maps entitled “Salmon Huckleberry Wilderness (Alder Creek Addition)” and “Salmon Huckleberry Wilderness (Eagle Creek Addition)” and dated June 2006, is incorporated in and shall be considered to be a part of the Salmon-Huckleberry Wilderness, as designated by section 3(2) of the Oregon Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98-328).

(b) MAPS AND LEGAL DESCRIPTION.—

(1) SUBMISSION OF LEGAL DESCRIPTIONS.—As soon as practicable after the date of the enactment of this Act, the Secretary of Agriculture shall prepare and submit to Congress a legal description of each wilderness area designated or expanded by subsection (a). It

is the intent of Congress that the final boundary description of the wilderness area be written so that any road or trail depicted on the map referred to in subsection (a) corresponding to that wilderness area as being inside of the designated area shall in fact be inside of the wilderness area and any road or trail depicted on the map as being outside of the designated area shall in fact be outside of the wilderness area.

(2) **FORCE OF LAW.**—The maps referred to in subsection (a) and the legal descriptions prepared under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct technical errors in the maps and legal descriptions. The Secretary shall notify Congress of any change made in a map or legal description under the authority of this paragraph and the reason for the change.

(3) **PUBLIC AVAILABILITY.**—The maps referred to in subsection (a) and the legal descriptions prepared under paragraph (1) shall be filed and made available for public inspection in the appropriate offices of the Forest Service.

(c) **CHARACTER OF DESIGNATED LAND.**—

(1) **EXCLUSION OF PRIVATE LAND.**—It is the intent of Congress that the wilderness areas designated or expanded by this section do not incorporate any private land in-holding. If any private land is inadvertently included within the boundaries of a wilderness area designated or expanded by this section, the Secretary of Agriculture shall ensure that the landowner continues to have adequate access to the private land.

(2) **EXCLUSION OF PERC PROJECT LANDS.**—Land inside the Federal Energy Regulatory Commission boundaries established as of the date of the enactment of this Act for a licensed hydroelectric project are excluded from wilderness areas designated or expanded by this section. Operations, maintenance, and construction activities associated with such a project are not affected in any way by the designation or expansion of wilderness areas by this section.

(3) **NO PRECEDENT VALUE.**—Nothing in this subsection is intended to establish a precedent with regard to the designation of Federal land as wilderness by any provision of law enacted after the date of the enactment of this Act.

(4) **COLUMBIA GORGE AIRSHED.**—The designation of wilderness by this section in the Columbia Gorge, as depicted on the map entitled “Gorge Ridgeline Wilderness” and dated June 2006, shall not result in the designation of a Class I airshed in the Columbia Gorge through Federal regulatory action.

#### **SEC. 103. ADMINISTRATION OF WILDERNESS AREAS.**

(a) **MANAGEMENT.**—Subject to valid existing rights, the National Forest System land designated as wilderness by section 102 shall be administered by the Secretary of Agriculture in accordance with this title and the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in the Wilderness Act to the effective date of such Act shall be considered to be a reference to the date of the enactment of this Act.

(b) **INCORPORATION OF ACQUIRED LAND AND INTERESTS.**—Any non-Federal land that is located within the boundaries of the National Forest System land designated as wilderness by section 102 and is acquired by the United States after the date of the enactment of this Act shall—

(1) become part of the wilderness area in which the land is located; and

(2) be managed in accordance with this title and the Wilderness Act (16 U.S.C. 1131 et seq.).

(c) **WITHDRAWAL.**—Subject to valid existing rights, the National Forest System land des-

ignated as wilderness by section 102 is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(d) **FIRE, INSECT, AND DISEASE MANAGEMENT ACTIVITIES.**—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and House Report No. 98-40 of the 98th Congress, the Secretary of Agriculture may take such measures on the National Forest System land designated as wilderness by section 102 as are necessary for the control of fire, insects, and diseases.

(e) **SNOW SENSORS AND STREAM GAUGES.**—Nothing in this title prevents the installation and maintenance of hydrologic, meteorologic, or climatological instrumentation on the National Forest System land designated as wilderness by section 102 if the Secretary of Agriculture determines that hydrologic, meteorologic, or climatological instrumentation is appropriate to further the scientific, educational, and conservation purposes of the wilderness areas.

(f) **MILITARY ACTIVITIES.**—Nothing in this Act precludes low-level overflights of military aircraft, the designation of new units of special airspace, or the use or establishment of military flight training routes over the National Forest System land designated as wilderness by section 102.

(g) **LIVESTOCK.**—Grazing of livestock and the maintenance of existing facilities related to grazing on the National Forest System land designated as wilderness by section 102, where established before the date of the enactment of this Act, shall be permitted to continue in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the guidelines set forth in Appendix A of House Report 101-405 of the 101st Congress.

(h) **FISH AND WILDLIFE MANAGEMENT.**—

(1) **IN GENERAL.**—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary of Agriculture may carry out management activities to maintain or restore fish and wildlife populations and fish and wildlife habitats on the National Forest System land designated as wilderness by section 102 if such activities are consistent with applicable wilderness management plans and carried out in accordance with applicable guidelines and policies. Nothing in this Act affects the jurisdiction of the State of Oregon with respect to fish and wildlife on the public land located in the State.

(2) **BULL TROUT RESTORATION PROJECT.**—It is the intent of Congress that nothing in this title prevents the Secretary of Agriculture from conducting the Bull Trout restoration project underway as of the date of the enactment of this Act in Clear Branch Creek west of Lawrence Lake in order to restore historic trout populations and habitat. Project work shall be carried out in accordance with the minimum tools policies of the Forest Service.

(i) **CONTINUED USE BY MEMBERS OF INDIAN TRIBES.**—

(1) **ACCESS.**—In recognition of the past use of the National Forest System land designated as wilderness by section 102 by members of Indian tribes for traditional cultural and religious purposes, the Secretary of Agriculture shall ensure that Indian tribes have access to the wilderness areas for traditional cultural and religious purposes.

(2) **TEMPORARY CLOSURES.**—In carrying out this subsection, the Secretary, at the request of an Indian tribe, may temporarily close to the general public one or more specific portions of the National Forest System land

designated as wilderness by section 102 to protect the privacy of the members of the Indian tribe in the conduct of the traditional cultural and religious activities in the wilderness area. Any such closure shall be made in such a manner as to affect the smallest practicable area for the minimum period of time necessary for the activity to be carried out.

(3) **APPLICABLE LAW.**—Access to the wilderness areas under this subsection shall be provided in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and Public Law 95-341 (commonly known as the American Indian Religious Freedom Act; 42 U.S.C. 1996 et seq.).

(j) **ADJACENT MANAGEMENT.**—Nothing in this Act creates protective perimeters or buffer zones around the National Forest System land designated as wilderness by section 102. The fact that nonwilderness activities or uses can be seen or heard from the designated wilderness shall not preclude the conduct of those activities or uses outside the boundary of the wilderness area.

#### **SEC. 104. MAINTENANCE AND REPLACEMENT OF FOOT BRIDGES IN WILDERNESS AREAS.**

In the case of each wilderness area designated or expanded by section 102, it is the intent of Congress that the Secretary of Agriculture be able to provide for the maintenance of the foot bridge crossings in the wilderness area and, when needed, the replacement of the foot bridge crossings to ensure public access and safety. Foot bridge replacement work shall be carried out in accordance with the minimum tools policies of the Forest Service.

#### **TITLE II—WILD AND SCENIC RIVER DESIGNATIONS**

##### **SEC. 201. FINDINGS AND PURPOSE.**

The purpose of this title is to designate approximately 25 miles of waterways in the Mount Hood National Forest as additions to the National Wild and Scenic Rivers System. The addition of these 25 miles of waterways represents an increase of 20 percent in the total length of all of the waterways in the Mount Hood National Forest included in the National Wild and Scenic Rivers System.

##### **SEC. 202. WILD AND SCENIC RIVER DESIGNATIONS, MOUNT HOOD NATIONAL FOREST.**

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following new paragraph:

“( ) MOUNT HOOD NATIONAL FOREST, OREGON.—The following rivers in the Mount Hood National Forest in the State of Oregon, to be administered by the Secretary of Agriculture:

“(A) The 4.1 miles of the South Fork of the Clackamas River from its confluence with the East Fork of the South Fork of the Clackamas to its confluence with the Clackamas River, as a scenic river.

“(B) The 8.5 miles of Eagle Creek from its headwaters to the Mount Hood National Forest boundary, of which—

“(i) the 6.7-mile segment from its headwaters to the west section line of section 20, township 3 south, range 6 east, shall be administered as a wild river; and

“(ii) the remaining 1.8-mile segment from such section line shall be administered as a recreational river.

“(C) The 3.7 miles of the Middle Fork of the Hood River from the confluence of Clear and Coe Branches to the Mount Hood National Forest boundary in sections 11 and 12 of township 1 south, ranges 9 and 10 east, as a scenic river.

“(D) The 4.6 miles of the South Fork Roaring River from its headwaters to its confluence with Roaring River, as a wild river.

“(E) The 4.3 miles of the Zig Zag River from its headwaters to the Mount Hood Wilderness boundary, as a wild river.”.

**SEC. 203. RELATION TO MIDDLE FORK IRRIGATION DISTRICT.**

(a) **NO IMPACT ON WATER RIGHTS OR FLOW REQUIREMENTS.**—The designation of the Middle Fork of the Hood River as a scenic river by the amendment made by section 202 is not intended to have any impact on water rights or flow requirements with regard to the Middle Fork Irrigation District.

(b) **EXCLUSION OF OPERATIONAL AREAS.**—The area of the Middle Fork of the Hood River designated as a scenic river by the amendment made by section 202 does not include any portion of the operation area of the Middle Fork Irrigation District.

**TITLE III—RECREATION**

**SEC. 301. FINDINGS AND PURPOSE.**

The purpose of this title is to recognize and support recreation as a dynamic social and economic component of the legacy and future of the Mount Hood National Forest.

**SEC. 302. RETENTION OF MOUNT HOOD NATIONAL FOREST LAND USE FEES FROM SPECIAL USE AUTHORIZATIONS.**

(a) **SPECIAL ACCOUNT.**—The Secretary of the Treasury shall establish a special account in the Treasury for Mount Hood National Forest.

(b) **DEPOSITS.**—Except as provided in section 7 of the Act of April 24, 1950 (commonly known as the Granger-Thye Act; 16 U.S.C. 580d), the National Forest Organizational Camp Fee Improvement Act of 2003 (title V of division F of Public Law 108-107; 16 U.S.C. 6231 et seq.), Public Law 106-206 (commonly known as the Commercial Filming Act; 16 U.S.C. 4601-6d), and the Federal Lands Recreation Enhancement Act (title VIII of division J of Public Law 108-477; 16 U.S.C. 6801 et seq.), all land use fees received after the date which is six months after the date of the enactment of this Act from special use authorizations, such as recreation residences, resorts, winter recreation resorts, communication uses, and linear rights-of-way, and all other special use types issued with regard to Mount Hood National Forest shall be deposited in the special account established under subsection (a).

(c) **AVAILABILITY.**—Subject to subsection (d), amounts in the special account established under subsection (a) shall remain available, without further appropriation and until expended, for expenditure as provided in section 303. Upon request of the Secretary of Agriculture, the Secretary of the Treasury shall transfer to the Secretary of Agriculture from the special account such funds as the Secretary of Agriculture may request. The Secretary shall accept and use the funds in accordance with section 303.

(d) **TERMINATION OF SPECIAL ACCOUNT.**—The special account required by subsection (a) shall terminate at the end of the 10-year period beginning on the date of the enactment of this Act. Any amounts remaining in the special account at the end of such period shall be transferred to the general fund of the Treasury.

**SEC. 303. USE OF FUNDS IN SPECIAL ACCOUNT TO SUPPORT RECREATION.**

(a) **AUTHORIZED USES.**—The Secretary of Agriculture shall use funds received from the special account under section 302(c) for the following purposes related to Mount Hood National Forest:

(1) Installation, repair, maintenance, and facility enhancement related directly to visitor enjoyment, visitor access, and health and safety, such as—

(A) the improvement and maintenance of trails, including trails used for hiking, biking, snowmobiling, horseback riding,

cross-country skiing, and off-highway vehicles;

(B) water system improvements; and

(C) personal sanitation facilities improvements.

(2) Interpretive programs, visitor information, visitor services, visitor needs assessments, mapping, signage, Leave-No-Trace materials, and wilderness rangers.

(3) Habitat restoration directly related to recreation.

(4) Cooperative environmental restoration projects with non-Federal partnership groups and associations, including groups and associations that work with youth.

(5) Law enforcement and rescue and recovery efforts related to public use and recreation, such as law enforcement at recreation events, search and rescue operations, illegal recreation activities investigations, and enforcement.

(6) Improving administration of special use authorizations.

(7) Preparation of documents required under the National Environmental Policy Act of 1969 in connection with the improvement or development of recreational opportunities.

(8) Other projects or partnerships recommended by the Mount Hood National Forest Recreation Working Group established by section 305.

(b) **ALLOCATION REQUIREMENTS.**—Of the total funds received by the Secretary of Agriculture from the special account under section 302(c) for a fiscal year, the Secretary shall allocate the funds as follows:

(1) 95 percent of the funds to Mount Hood National Forest.

(2) 5 percent of the funds to the Regional Office for the Pacific Northwest Region of the Forest Service to develop needed policy and training to support programs in wilderness areas, special uses, trails, developed and dispersed recreation, and interpretation related to Mount Hood National Forest.

**SEC. 304. ANNUAL REPORTING REQUIREMENT.**

The Secretary of Agriculture shall submit to Congress an annual report specifying—

(1) the total funds received by the Secretary from the special account under section 302(c) for the preceding fiscal year;

(2) how the funds were allocated and expended; and

(3) the results from such expenditures.

**SEC. 305. MOUNT HOOD NATIONAL FOREST RECREATIONAL WORKING GROUP.**

(a) **ESTABLISHMENT AND PURPOSE.**—The Secretary of Agriculture shall establish the Mount Hood National Forest Recreational Working Group for the purpose of providing advice and recommendations to the Forest Service on planning and implementing recreation enhancements in Mount Hood National Forest, including advice and recommendations regarding how the funds in the special account established under section 302 should be requested and expended.

(b) **DUTIES.**—The Working Group shall—

(1) review projects proposed by the Secretary for Mount Hood National Forest under section 303(a);

(2) propose projects under section 303(a) to the Secretary;

(3) recommend the amount of funds from the special account established under section 302 to be used to fund projects under section 303; and

(4) provide opportunities for citizens, organizations, Indian tribes, the Forest Service, and other interested parties to participate openly and meaningfully, beginning at the early stages of the development of projects under section 303(a).

(c) **APPOINTMENT.**—

(1) **APPOINTMENT AND TERM.**—The Regional Forester, acting on behalf of the Secretary of

Agriculture, shall appoint the members of the Working Group for a term of three years beginning on the date of appointment. A member may be reappointed to subsequent three-year terms.

(2) **INITIAL APPOINTMENT.**—The Regional Forester shall make initial appointments to the Working Group not later than 180 days after the date of the enactment of this Act.

(3) **VACANCIES.**—The Regional Forester shall make appointments to fill vacancies on the Working Group as soon as practicable after the vacancy has occurred.

(4) **COMPENSATION.**—Members of the Working Group shall not receive any compensation for their service on the Working Group.

(5) **NOMINATIONS.**—The State of Oregon and county governments for each county directly adjacent to or containing any portion of Mount Hood National Forest may submit a nomination to the Regional Forester for each activity or interest group category described in subsection (d).

(6) **BROAD AND BALANCED REPRESENTATION.**—In appointing the members of the Working Group, the Regional Forester shall provide for a balanced and broad representation from the recreation community.

(d) **COMPOSITION OF WORKING GROUP.**—The Working Group shall be composed of 15 members, selected so that the following activities and interest groups are represented:

(1) Summer non-mechanized recreation, such as hiking.

(2) Winter non-motorized recreation, such as snowshoeing and backcountry skiing.

(3) Mountain biking.

(4) Hunting and fishing.

(5) Summer motorized recreation, such as off-highway vehicle use.

(6) Local environmental groups.

(7) Winter motorized recreation, such as snowmobiling.

(8) Permitted ski areas.

(9) Forest products industry.

(10) Affected Indian tribes.

(11) Local holder of a recreation residence permit.

(12) Local government interests, such as a county commissioner or city mayor in an elected position representing a county or city directly adjacent or containing any portion of Mount Hood National Forest.

(13) A resident of Government Camp.

(14) The State of Oregon.

(15) Operators of campground facilities open to the general public.

(e) **CHAIRPERSON.**—The chairperson of the Working Group shall be selected by a majority of the Working Group.

(f) **OTHER WORKING GROUP AUTHORITIES AND REQUIREMENTS.**—

(1) **STAFF ASSISTANCE.**—The Secretary of Agriculture shall provide staff assistance to the Working Group from Federal employees under the jurisdiction of the Secretary.

(2) **MEETINGS.**—All meetings of the Working Group shall be announced at least one week in advance in a local newspaper of record and shall be open to the public.

(3) **RECORDS.**—The Working Group shall maintain records of the meetings of the Working Group and make the records available for public inspection.

(g) **LIMITATION ON ADMINISTRATIVE ASSISTANCE.**—Not more than five percent of the funds allocated under section 303(b)(1) to Mount Hood National Forest for a fiscal year may be used to provide administrative assistance to the Working Group during that fiscal year.

(h) **FEDERAL ADVISORY COMMITTEE ACT.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Working Group.

(i) **TERMINATION OF WORKING GROUP.**—The Working Group shall terminate at the end of the 10-year period beginning on the date of the enactment of this Act.

### SEC. 306. CONSIDERATION OF CONVERSION OF FOREST ROADS TO RECREATIONAL USES.

(a) EVALUATION OF CURRENTLY CLOSED ROADS.—

(1) CONSIDERATION FOR RECREATIONAL USE.—The Secretary of Agriculture may make a determination regarding whether the Forest Service roads in Mount Hood National Forest that were selected before the date of the enactment of this Act for closure and decommissioning, but have not yet been decommissioned, should be converted to recreational uses to enhance recreational opportunities in the national forest, such as conversion to single-track trails for mountain bikes and trails for snowmobiling, off-road vehicle use, horseback riding, hiking, cross country skiing, and other recreational uses.

(2) CONSIDERATION OF ENVIRONMENTAL AND ECONOMIC IMPACTS.—In evaluating the feasibility and suitability of converting Forest Service roads under this subsection to recreational uses, and the types of recreational uses to be authorized, the Secretary shall take into account the environmental and economic impacts of implementing the conversion and of the resulting recreational uses.

(3) PUBLIC PROCESS.—The consideration and selection of Forest Service roads under this subsection for conversion to recreational uses, and the types of recreational uses to be authorized, shall be a public process, including consultation by the Secretary of Agriculture with the Mount Hood National Forest Recreational Working Group.

(b) FUTURE CLOSURE CONSIDERATIONS.—Whenever the Secretary of Agriculture considers a Forest Service road in Mount Hood National Forest for possible closure and decommissioning after the date of the enactment of this Act, the Secretary shall include, as an alternative to decommissioning the road, consideration of converting the road to recreational uses to enhance recreational opportunities in the Mount Hood National Forest.

### SEC. 307. IMPROVED TRAIL ACCESS FOR PERSONS WITH DISABILITIES.

(a) CONSTRUCTION OF TRAIL.—The Secretary of Agriculture may enter into a contract with a partner organization or other person to design and construct a trail at a location selected by the Secretary in Mount Hood National Forest suitable for use by persons with disabilities.

(b) PUBLIC PROCESS.—The selection of the trail location under subsection (a) and the preparation of the design of the trail shall be a public process, including consultation by the Secretary of Agriculture with the Mount Hood National Forest Recreational Working Group.

(c) FUNDING.—The Secretary of Agriculture may use funds in the special account established under section 302 to carry out this section.

## TITLE IV—TRANSPORTATION

### SEC. 401. FINDINGS AND PURPOSE.

The purpose of this title is to support the development of an integrated, multi-modal transportation plan for the Mount Hood region designed to achieve comprehensive solutions to transportation challenges in the region necessary to promote appropriate economic development, preserve landscapes, and enhance public safety.

### SEC. 402. MOUNT HOOD REGION DEFINED.

In this title, the term “Mount Hood region” means Mount Hood and the other areas immediately surrounding the mountain, as well as the Highway 26 and Highway 35 corridors in and near Mount Hood National Forest, other State, county, and Forest Service roads in and near the national forest, and the gateway communities along these corridors and roads.

### SEC. 403. TRANSPORTATION PLAN.

(a) FOREST SERVICE PARTICIPATION.—The Secretary of Agriculture is authorized and directed to work with the State of Oregon to develop an integrated, multi-modal transportation plan for the Mount Hood region.

(b) PLANNING PROCESS.—The transportation plan shall conform with Federal and Oregon transportation planning requirements and be the product of a collaborative process, preferably through the use of a commission composed of interested persons appointed by the State, with representation from the Forest Service and local governments in the Mount Hood region.

(c) SCOPE OF PLAN.—The transportation plan shall address both—

(1) transportation of people to and from areas outside the Mount Hood region on major corridors traversing the region; and

(2) transportation of people from place to place within the Mount Hood region.

(d) SPECIFIC ELEMENTS OF PLAN.—At a minimum, the transportation plan shall consider the following:

(1) Transportation alternatives between and among recreation areas and gateway communities within the Mount Hood region.

(2) Park and ride facilities at gateway communities.

(3) Intermodal transportation centers to link public transportation, parking, and recreation destinations.

(4) A new interchange on Highway 26 in or near Government Camp.

(5) Designation, maintenance, and improvements of alternative routes utilizing Forest Service and or State roads for emergency routes or improved access to, and travel within, the Mount Hood region.

(6) Reconstruction of Highway 35 from Mineral Creek to Baseline Road to address ongoing debris flow locations.

(7) Mechanisms for funding implementation of the plan, including Federal grants or appropriations, public-private partnerships, incremental tax financing, and other financing tools that link transportation infrastructure improvements with development.

(e) COMPLETION.—The transportation plan shall be completed within two years after the date on which funds are first made available under subsection (f) for the plan.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Agriculture \$2,000,000, which the Secretary shall provide to the State of Oregon for the preparation of the transportation plan for the Mount Hood region.

### SEC. 404. STUDY REGARDING GONDOLA CONNECTION AND INTERMODAL TRANSPORTATION CENTER.

(a) STUDY AUTHORIZED.—The Secretary of Agriculture shall conduct a study of the feasibility of establishing—

(1) a gondola connection between Timberline Lodge and Government Camp, Oregon, in the vicinity of the historic gondola corridor; and

(2) an intermodal transportation center in or near Government Camp.

(b) CONSIDERATION OF SITES.—In conducting the study under this section, the Secretary may include consideration of one or more possible sites for the gondola connection and intermodal transportation center.

## TITLE V—FOREST AND WATERSHED STEWARDSHIP

### SEC. 501. FINDINGS AND PURPOSE.

The purpose of this title is to direct the Forest Service to prepare an assessment to promote forested landscapes resilient to catastrophic fire, insects, and disease, to protect homes and communities from property damage and threats to public safety, and to protect and enhance existing community or

municipal watersheds. It is the intent of Congress that site-specific forest health projects undertaken pursuant to this assessment shall be completed in accordance with existing law.

### SEC. 502. FOREST STEWARDSHIP ASSESSMENT.

(a) PREPARATION OF ASSESSMENT.—The Secretary of Agriculture shall prepare an assessment to identify the forest health needs in those areas of the Mount Hood National Forest with a high incidence of insect or disease infestation (or both), heavily overstocked tree stands, or moderate-to-high risk of unnatural catastrophic wildfire for the purpose of improving condition class, which significantly improves the forest health and water quality. The Secretary may utilize existing information to complete the assessment. The assessment shall also identify specific projects to address these issues.

(b) IMPROVED MAPPING.—The assessment may include improved mapping of condition class 2 and condition class 3 areas and other areas identified in subsection (a) in Mount Hood National Forest.

(c) COMPLETION.—The Secretary of Agriculture shall complete the assessment not later than one year after the date of the enactment of this Act.

(d) DURATION OF STUDY.—The assessment shall cover a 10-year period.

(e) IMPLEMENTATION.—Not later than one year after completion of the assessment, the Secretary shall commence implementation of projects to address the needs identified in the assessment. These projects shall be implemented using authorities available to the Secretary to manage the Mount Hood National Forest to achieve the purpose specified in subsection (a).

(f) DELAY.—During development of the assessment under this section, a forest management project that is unaffiliated with the assessment and has completed review as required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321) in accordance with existing law, need not be delayed in the event the Secretary fails to meet the deadline specified in subsection (c).

(g) RELATION TO EXISTING LAW AND PLANS.—Nothing in this section grants the Secretary any authority to manage the Mount Hood National Forest contrary to existing law. The assessment conducted by the Secretary under this section shall not supersede, be considered a supplement or amendment to, or in any way affect the legal or regulatory authority of the Mount Hood National Forest Land and Resource Management Plan or the collection of documents entitled “Final Supplemental Environmental Impact Statement and Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl” and “Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl”.

(h) PUBLIC PARTICIPATION.—The Secretary shall provide an opportunity for interested persons to be involved in development of the assessment conducted by the Secretary under this section.

### SEC. 503. SUSTAINABLE BIOMASS UTILIZATION STUDY.

(a) STUDY REQUIRED.—The Secretary of Agriculture shall conduct a study to assess the amount of long-term sustainable biomass available in the Mount Hood National Forest that, consistent with applicable law, could be made available as a raw material for—

(1) the production of electric energy, sensible heat, transportation fuel, or substitutes for petroleum-based products;

(2) dimensional lumber, fencing, framing material, poles, firewood, furniture, chips, pulp for paper; or

(3) other commercial purposes.

(b) **BIOMASS DEFINED.**—In this section, the term “biomass” means small diameter trees and understory vegetation that is removed from forested land as a by-product of forest restoration efforts.

**SEC. 504. WATERSHED MANAGEMENT MEMORANDA OF UNDERSTANDING.**

(a) **COMPLETION OF MEMORANDA OF UNDERSTANDING.**—To the extent that memoranda of understanding or other legal agreements involving watersheds of Mount Hood National Forest do not exist between irrigation districts or municipalities and the Forest Service, the Secretary of Agriculture may complete memoranda of understanding that outline stewardship goals to manage the watersheds for water quality and water quantity.

(b) **ELEMENTS OF MEMORANDUM.**—A memorandum of understanding involving a watershed of Mount Hood National Forest shall encourage adaptability, establish benchmarks regarding water quality and water quantity, and require monitoring to determine progress in meeting such benchmarks. The memorandum of understanding may restrict public access to areas of the watershed where appropriate.

(c) **PUBLIC PROCESS REQUIRED.**—

(1) **COLLABORATION AND CONSULTATION.**—The Secretary of Agriculture shall ensure that the process by which the Secretary enters into a memorandum of understanding with an irrigation district, local government, or other entity involving a watershed of Mount Hood National Forest is based on collaboration and cooperation between the Forest Service and local jurisdictions and other interested persons.

(2) **PUBLIC MEETING REQUIRED.**—The Secretary and the other party or parties to the proposed memorandum of understanding shall hold at least one joint public meeting before completing a final draft of the memorandum of understanding.

(3) **PUBLIC COMMENT.**—A draft memorandum of understanding also shall be open to public comment before being finalized.

**TITLE VI—CRYSTAL SPRINGS WATERSHED SPECIAL RESOURCES MANAGEMENT UNIT**

**SEC. 601. FINDINGS AND PURPOSE.**

The purpose of this title is to establish a special resources management unit to ensure protection of the quality and quantity of the Crystal Springs watershed as a clean drinking water source for the residents of Hood River County, Oregon, while also allowing visitors to enjoy its special scenic, natural, cultural, and wildlife values.

**SEC. 602. ESTABLISHMENT OF CRYSTAL SPRINGS WATERSHED SPECIAL RESOURCES MANAGEMENT UNIT.**

(a) **ESTABLISHMENT.**—Effective as provided by section 605, the Secretary of Agriculture shall establish a special resources management unit in the State of Oregon consisting of all National Forest System land that is located within 200 yards from any point on the perimeter of the Crystal Springs Zone of Contribution, as determined by the Crystal Springs Water District, and other National Forest System land in and around the Inn at Cooper Spur and the Cooper Spur Ski Area, as depicted on the map entitled “Crystal Springs Watershed Special Resources Management Unit” and dated June 2006 in this subtitle referred to as the “official map”.

(b) **DESIGNATION.**—The special resources management unit established pursuant to subsection (a) shall be known as the Crystal Springs Watershed Special Resources Management Unit, in this title referred to as the “Management Unit”.

(c) **EXCLUSION OF CERTAIN LAND.**—The Management Unit does not include any National Forest System land otherwise covered by subsection (a) that is designated as wilderness by title I.

(d) **WITHDRAWAL.**—Subject to valid existing rights, National Forest System land included in the Management Unit are permanently withdrawn from all forms of appropriation under the public land laws, including the mining laws and mineral and geothermal leasing laws.

(e) **MAPS AND LEGAL DESCRIPTION.**—

(1) **SUBMISSION OF LEGAL DESCRIPTIONS.**—As soon as practicable after the effective date specified in section 605, the Secretary shall prepare and submit to Congress a legal description of the Management Unit.

(2) **FORCE OF LAW.**—The map referred to in subsection (a) and the legal descriptions prepared under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct technical errors in the map and legal descriptions. The map of the Crystal Springs Zone of Contribution is incorporated in this Act to delineate the boundaries of the Management Unit, and the delineation of these boundaries is not intended to affect the specific uses that may occur on private land within the boundaries of the Management Unit.

(3) **PUBLIC AVAILABILITY.**—The map referred to in subsection (a) and the legal descriptions prepared under paragraph (1) shall be filed and made available for public inspection in the appropriate offices of the Forest Service.

**SEC. 603. ADMINISTRATION OF MANAGEMENT UNIT.**

(a) **GENERAL APPLICABILITY OF EXISTING LAWS.**—Except as provided in this title, all other laws and regulations affecting National Forest System lands shall continue to apply to the National Forest System lands included in the Management Unit.

(b) **AUTHORIZED ACTIVITIES.**—

(1) **PROCESS FOR ALLOWING ACTIVITIES.**—Only activities described in this subsection may occur in the Management Unit, and the Secretary of Agriculture may permit an activity described in this subsection to occur in the Management Unit only after the Secretary—

(A) obtains the review and opinions of the Crystal Springs Water District regarding the effect of the activity on the purposes of the Management Unit;

(B) complies with all applicable Federal law regarding development and implementation of the activity; and

(C) when appropriate, provides to the general public advance notice of the activity, an opportunity to comment on the activity, and appeal rights regarding the activity.

(2) **RECREATION.**—The Secretary may—

(A) continue to maintain recreational opportunities and trails, in existence in the Management Unit as of the effective date specified in section 605, within their existing and historic footprints or at an alternative location; and

(B) develop new foot paths or cross-county skiing trails in the Management Unit.

(3) **LEASE OF CERTAIN IMPROVEMENTS.**—The Secretary may lease improvements and facilities, in existence in the Management Unit as of the effective date specified in section 605, within their existing and designated footprints to one or more concessionaires.

(4) **ROAD MAINTENANCE.**—Subject to subsection (d), the Secretary may maintain National Forest System roads, in existence in the Management Unit as of the effective date specified in section 605 or as directed by the management plan required by subsection (d). Maintenance may include the installation of culverts and drainage improvements and other similar activities.

(5) **FUEL REDUCTION IN PROXIMITY TO IMPROVEMENTS AND PRIMARY PUBLIC ROADS.**—The Secretary may permit fuel reduction on

National Forest System land in the Management Unit—

(A) extending up to 400 feet from structures on National Forest System land or structures on adjacent private land; and

(B) extending up to 400 feet from the Cooper Spur Road, the Cloud Cap Road, and the Cooper Spur ski area loop road.

(6) **OTHER FUEL REDUCTION AND FOREST HEALTH ACTIVITIES.**—The Secretary may conduct fuel reduction and forest health management activities in the Management Unit, with priority given to activities that restore previously harvested stands, including the removal of logging slash, smaller diameter material, and ladder fuels. The purpose of any fire risk reduction or forest health management activity conducted in the Management Unit shall be the maintenance and restoration of fire-resilient forest structures containing multi-storied canopies (where ecologically appropriate) and the protection of water quality, water quantity, scenic, cultural natural and wildlife values.

(c) **SPECIFICALLY PROHIBITED ACTIVITIES.**—The following activities may not occur on National Forest System land in the Management Unit, whether separately or, except as provided in paragraph (2), as part of an activity authorized by subsection (b):

(1) New road construction or renovation of existing non-System roads.

(2) Projects undertaken for the purpose of harvesting commercial timber. The harvest of merchantable products that are a by-product of activities conducted pursuant to subsection (b)(6) and carried out pursuant to a stewardship contract are not prohibited by this subsection.

(3) Commercial livestock grazing.

(4) The placement or maintenance of fuel storage tanks.

(5) The application of any toxic chemicals, including pesticides, rodenticides, herbicides, or retardants, for any purpose, except with the consent of the Crystal Springs Water District.

(d) **MANAGEMENT PLAN.**—

(1) **PLAN REQUIRED.**—Within nine months after the effective date specified in section 605, the Secretary of Agriculture shall adopt a management plan for the Management Unit that, while providing for the limited activities specifically authorized by subsection (b), protects the watershed from illegal dumping, human waste, fires, vandalism and other risks to water quality.

(2) **CONSULTATION AND PUBLIC PARTICIPATION.**—The Secretary shall prepare the management plan in consultation with the Crystal Springs Water District, the Cooper Spur Wild and Free Coalition, and Hood River County and provide for public participation as described in subsection (b)(1)(C).

(e) **FOREST ROAD CLOSURES.**—As part of the management plan required by subsection (d), the Secretary of Agriculture may provide for the closure or gating to the general public of any Forest Service road within the Management Unit, except for the road commonly known as Cloud Cap Road.

(f) **PRIVATE LAND.**—Nothing in this section affects the use of, or access to, any private property within the Crystal Springs Zone of Contribution by the owners of the private property and their guests. The Secretary is encouraged to work with interested private landowners who have voluntarily agreed to cooperate with the Secretary to further the purposes of this title.

(g) **RELATIONSHIP WITH WATER DISTRICT.**—Except as provided in this section, the Crystal Springs Water District has no authorities over management or use of National Forest System land included in the Management Unit.

**SEC. 604. ACQUISITION OF LANDS.**

(a) **ACQUISITION AUTHORITY.**—The Secretary of Agriculture may acquire from willing

landowners any lands located in the Crystal Springs Zone of Contribution within the boundaries of Mount Hood National Forest. Lands so acquired shall automatically be added to the Management Unit.

(b) **PROHIBITION ON SUBSEQUENT CONVEYANCE.**—The Secretary may not sell, trade, or otherwise transfer ownership of any land within the Management Unit, including any of the land acquired under subsection (a) or received by the Secretary as part of the Cooper Spur-Government Camp land exchange authorized by subtitle A of title VIII and included within the Management Unit, to any person.

#### **SEC. 605. EFFECTIVE DATE.**

The Secretary of Agriculture shall establish the Management Unit as soon as practicable after the final closing of the Cooper Spur-Government Camp land exchange authorized by subtitle A of title VIII, but in no case later than 30 days after the date of the final closing of such land exchange. The Management Unit may not be established before final closing of the land exchange.

### **TITLE VII—LOCAL AND TRIBAL RELATIONSHIPS**

#### **SEC. 701. FINDINGS AND PURPOSE.**

The purpose of this title is to recognize and support the ability of Native Americans to continue to gather first foods in the Mount Hood National Forest using traditional methods and the central role of the State of Oregon and local governments in managing for issues dealing with natural and developed environments in the vicinity of the national forest.

#### **SEC. 702. FIRST FOODS GATHERING AREAS.**

(a) **PRIORITY USE AREAS.**—The Secretary of Agriculture shall identify, establish, develop, and manage priority-use areas in Mount Hood National Forest for the gathering of first foods by members of Indian tribes with treaty-reserved gathering rights on lands encompassed by the national forest. The priority-use areas shall be identified, established, developed, and managed in a manner consistent with the memorandum of understanding entered into between the Department of Agriculture, the Bureau of Land Management, the Bureau of Indian Affairs, and the Confederated Tribes of the Warm Springs Reservation of Oregon (in this section referred to as the “Warm Springs Tribe”) and dated April 23, 2003, and such further agreements as are necessary between the Secretary of Agriculture and the Warm Springs Tribe to carry out the purposes of this section.

(b) **PRIORITY USE.**—Members of Indian tribes with treaty-reserved gathering rights on lands encompassed by Mount Hood National Forest shall have exclusive rights to gather first foods in the priority-use areas established pursuant to subsection (a).

(c) **APPLICABLE LAW.**—In considering and selecting National Forest System land for inclusion in a priority-use area under subsection (a), the Secretary of Agriculture shall comply with the land and resource management plan for Mount Hood National Forest and applicable laws.

(d) **FIRST FOODS DEFINED.**—In this section, the term “first foods” means roots, berries, and plants on National Forest System land in Mount Hood National Forest that have been gathered for traditional and cultural purposes by members of Indian tribes with treaty-reserved gathering rights on lands encompassed by Mount Hood National Forest.

#### **SEC. 703. FOREST SERVICE COORDINATION WITH STATE AND LOCAL GOVERNMENTS.**

Congress encourages the Secretary of Agriculture to cooperate with the State of Oregon, local communities, counties, and Indian tribes in the vicinity of Mount Hood Na-

tional Forest, and the heads of other Federal agencies to identify common ground, coordinate planning efforts around the national forest, and make the Federal Government a better partner in building cooperative and lasting solutions for management of Mount Hood National Forest and non-Federal land in the vicinity of the national forest.

#### **SEC. 704. SAVINGS PROVISIONS REGARDING RELATIONS WITH INDIAN TRIBES.**

(a) **TREATY RIGHTS.**—Nothing in this Act is intended to alter, modify, enlarge, diminish, or extinguish the treaty rights of any Indian tribe, including the off-reservation reserved rights established by the Treaty of June 25, 1855, with the Tribes and Bands of Middle Oregon (12 Stat. 963). Section 702 is consistent with and intended to implement the gathering rights reserved by such treaty.

(b) **TRIBAL LANDS.**—Nothing in this Act is intended to affect lands held in trust by the Secretary of the Interior for Indian tribes or individual members of Indian tribes or other lands acquired by the Army Corps of Engineers and administered by the Secretary of the Interior for the benefit of Indian tribes and individual members of Indian tribes.

(c) **HUNTING AND FISHING.**—Nothing in this Act is intended to affect the laws, rules, and regulations pertaining to hunting and fishing under existing State and Federal laws and Indian treaties.

#### **SEC. 705. IMPROVED NATURAL DISASTER PREPAREDNESS.**

(a) **IMPOSITION OF STANDARDS.**—New development occurring on land conveyed by the Secretary of Agriculture under title VIII or undertaken or otherwise permitted by the Secretary of Agriculture on National Forest System land in Mount Hood National Forest after the date of the enactment of this Act shall be constructed or altered in compliance with one of the nationally recognized model building codes or wildland-urban interface codes and with other applicable nationally recognized codes.

(b) **INCLUSION OF STANDARDS IN LAND CONVEYANCES.**—In the case of each of the land conveyances described in title VIII, the Secretary shall impose the requirements of subsection (a) as a condition on the conveyance of the Federal land under the conveyance.

(c) **EFFECT ON STATE AND LOCAL LAW.**—To the maximum extent feasible, the codes imposed pursuant to subsection (a) shall be consistent with the nationally recognized codes adopted by the State of Oregon or political subdivisions of the State. This section shall not be construed to limit the power of the State of Oregon or a political subdivision of the State to implement or enforce any law, rule, regulation, or standard concerning fire prevention and control.

(d) **ENFORCEMENT.**—The codes imposed pursuant to subsection (a) may be enforced by the same entities otherwise enforcing building codes regarding new development occurring on land conveyed by the Secretary of Agriculture under title VIII.

### **TITLE VIII—LAND CONVEYANCES**

#### **Subtitle A—Cooper Spur-Government Camp Land Exchange**

#### **SEC. 801. FINDINGS AND PURPOSE.**

The purpose of this subtitle is to recognize the years of work by local residents and political and business leaders from throughout the States of Oregon and Washington to protect the north side of Mount Hood and bring to culmination the land exchange authorized by section 802. Congress finds that numerous public hearings have been held where broad public support has been voiced for the protection of Mount Hood and the consummation of the land exchange.

#### **SEC. 802. COOPER SPUR-GOVERNMENT CAMP LAND EXCHANGE.**

(a) **CONVEYANCE REQUIRED.**—The Secretary of Agriculture shall convey to Mt. Hood

Meadows Oregon, Limited Partnership (in this subtitle referred to as “Mt. Hood Meadows”), all right, title, and interest of the United States in and to—

(1) a parcel of National Forest System land in Mount Hood National Forest consisting of approximately 80 acres in Government Camp, Clackamas County, Oregon, as depicted on the map entitled “Cooper Spur-Government Camp Land Exchange” and dated June 2006 (in this subtitle referred to as the “official map”); and

(2) a parcel of National Forest System land in Mount Hood National Forest consisting of approximately 40 acres in Government Camp, as depicted on the official map.

(b) **CONSIDERATION.**—As consideration for the conveyance under subsection (a), Mt. Hood Meadows, Meadows North, LLC, and North Face Inn, LLC, shall convey to the United States all right, title, and interest of these entities in and to—

(1) a parcel of private land consisting of approximately 770 acres at Cooper Spur, as depicted on the official map;

(2) all buildings, furniture, fixtures, and equipment at the Inn at Cooper Spur covered by the appraisal described in subsection (c)(1);

(3) the 1,350 acre special use permit for the Cooper Spur Ski Area, as depicted on the official map; and

(4) all buildings, furniture, fixtures, and equipment at the Cooper Spur Ski Area covered by the appraisal described in subsection (c)(1).

(c) **APPRAISED VALUES OF CONVEYED PROPERTY.**—

(1) **USE OF AGREED UPON APPRAISAL.**—For purposes of the land exchange authorized by this subtitle, the values of the land and other property to be conveyed under subsections (a) and (b) are derived from appraisals performed in 2005 by Steve A. Hall, MAI, CCIM, Oregon State Certified General Appraiser. The appraisals were performed in compliance with the Uniform Standards of Professional Appraisal Practice and the Uniform Appraisal Standards for Federal Land Acquisitions 2000 and have been reviewed and approved by the parties to the settlement agreement.

(2) **APPRAISED VALUES.**—

(A) **FEDERAL LAND.**—The appraised value of the land to be conveyed by the Secretary of Agriculture under subsection (a) is \$3,810,000.

(B) **PRIVATE LAND AND PROPERTY.**—The appraised value of the land and other property to be conveyed by Mt. Hood Meadows, Meadows North, LLC, and North Face Inn, LLC, under subsection (b) is \$5,535,000.

(3) **TREATMENT OF EXCESS CONSIDERATION.**—The amount by which the appraised value of the land and other property conveyed by Mt. Hood Meadows, Meadows North, LLC, and North Face Inn, LLC, under subsection (b) exceeds the appraised value of the land conveyed by the Secretary under subsection (a), \$1,725,000, represents a donation to the United States.

(d) **COMPLETION OF LAND EXCHANGE.**—The Secretary of Agriculture shall complete all legal and regulatory processes required in connection with the conveyances under this section and complete the closing of the conveyances within eight months after the date of the enactment of this Act.

(e) **RECONVEYANCE OF LAND AND IMPROVEMENTS.**—

(1) **PROHIBITION ON RECONVEYANCE OF LAND.**—The Secretary of Agriculture may not reconvey any of the land (as opposed to improvements thereon) acquired by the United States under subsection (b).

(2) **LIMITATION ON RECONVEYANCE OF IMPROVEMENTS.**—Any subsequent sale or lease of improvements acquired under subsection



(b) may not be made to Mt. Hood Meadows, or any successor thereof.

(f) **EXISTING RIGHTS.**—The conveyance of Federal land under this section shall be subject to valid existing rights of third parties. In the alternative, the Secretary of Agriculture may grant substitute permit rights of equivalent utility to use other Federal land.

**SEC. 803. TREATMENT OF INN AT COOPER SPUR AND THE COOPER SPUR SKI AREA.**

(a) **SOLICITATION OF NEW CONCESSIONAIRE.**—Not later than 60 days after the date of the final closing of the land exchange under section 802, the Secretary of Agriculture shall prepare and publish a proposed prospectus in order to solicit a new concessionaire for the Inn at Cooper Spur and the Cooper Spur Ski Area within the new configuration of these establishments, as depicted on the official map.

(b) **COMPETITIVE PROCESS.**—Prospective concessionaires shall be able to bid competitively for the right to operate either the Inn at Cooper Spur or the Cooper Spur Ski Area (or both together) in an open process that considers all values, not just the highest dollar value.

(c) **CONSULTATION.**—The Secretary of Agriculture shall consult with Mt. Hood Meadows, Meadows North, LLC, and North Face Inn, LLC, the Hood River Valley Residents Committee, the Cooper Spur Wild and Free Coalition, and the Hood River County Commission in selecting a new concessionaire for the Inn at Cooper Spur and the Cooper Spur Ski Area and to prepare for the orderly and smooth transition of the operation of the Inn at Cooper Spur and the Cooper Spur Ski Area to the new concessionaire.

(d) **TREATMENT OF PROCEEDS.**—All funds received pursuant to a concession contract under this section shall be deposited in the fund established by Public Law 90-171 (16 U.S.C. 484a; commonly known as the Sisk Act) and shall remain available to the Secretary of Agriculture until expended, without further appropriation, for use in Mount Hood National Forest, with priority given to the Hood River Ranger District for restoration projects on the North side of Mount Hood.

(e) **ALTERNATIVE CONVEYANCE AND SPECIAL USE PERMIT.**—If the Secretary of Agriculture has not selected a concessionaire for the Inn at Cooper Spur and the Cooper Spur Ski Area by the end of the one-year period beginning on the date of the publication of the prospectus under subsection (a), the Secretary may convey, without consideration, the improvements acquired under paragraphs (2) and (4) of section 802(b) only to Hood River County, Oregon. If the Secretary conveys improvements to Hood River County pursuant to this subsection, the Secretary shall issue a special use permit that would allow reasonable access to and management of the improvements under terms similar to the Cooper Spur Ski Area Special Use Permit.

**SEC. 804. GENERAL PROVISIONS.**

(a) **APPLICABLE LAW.**—Except as otherwise provided in this subtitle, the exchange of Federal land under section 802 is subject to the existing laws and regulations applicable to the conveyance and acquisition of land under the jurisdiction of the Forest Service. It is anticipated that the Secretary of Agriculture will be able to carry out the land exchange without the promulgation of additional regulations.

(b) **CONDITIONS ON ACCEPTANCE.**—Title to the non-Federal land to be acquired by the Secretary of Agriculture under section 802 must be acceptable to the Secretary, and the conveyances shall be subject to valid existing rights of record. The non-Federal land

shall conform with the title approval standards applicable to Federal land acquisitions.

(c) **LEGAL DESCRIPTIONS.**—The exact acreage and legal description of the land to be exchanged under section 802 shall be determined by surveys satisfactory to the Secretary of Agriculture. The costs of any such survey, as well as other administrative costs incurred to execute the land exchange, shall be borne by the Secretary.

**Subtitle B—Other Land Exchanges**

**SEC. 811. LAND EXCHANGE, PORT OF CASCADE LOCKS-PACIFIC CREST NATIONAL SCENIC TRAIL.**

(a) **CONVEYANCE REQUIRED.**—The Secretary of Agriculture shall convey to the Port of Cascade Locks, Cascade Locks, Oregon (in this section referred to as the “Port”), all right, title, and interest of the United States in and to a parcel of National Forest System land in the Columbia River Gorge National Scenic Area consisting of approximately 10 acres, as depicted on the map entitled “Port of Cascade Locks-Pacific Crest National Scenic Trail Land Exchange” and dated June 2006.

(b) **CONSIDERATION.**—As consideration for the conveyance under subsection (a), the Port shall convey to the United States all right, title, and interest of the Port in and to a parcel of land consisting of approximately 40 acres, as depicted on the map referred to in subsection (a). The acquisition of this land will ensure the continued integrity of the Pacific Crest National Scenic Trail in the vicinity of Cascade Locks and the public’s ability to access the north Oregon entrance of the trail.

(c) **EQUAL VALUE EXCHANGE.**—The values of the land to be exchanged under this section shall be determined pursuant to an appraisal acceptable to the Secretary of Agriculture and the Port. If the values are not equal, they shall be equalized in the manner provided in section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

(d) **COMPLIANCE WITH EXISTING LAW.**—Except as otherwise provided in this section, the Secretary shall carry out the land exchange under this section in the manner provided in section 206 of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1716).

(e) **CONDITIONS ON ACCEPTANCE.**—Title to the non-Federal land to be acquired by the Secretary of Agriculture under this section must be acceptable to the Secretary, and the conveyances shall be subject to valid existing rights of record. The non-Federal land shall conform with the title approval standards applicable to Federal land acquisitions.

(f) **LEGAL DESCRIPTIONS.**—The exact acreage and legal description of the land to be exchanged under this section shall be determined by surveys satisfactory to the Secretary of Agriculture. The costs of such survey, as well as other administrative costs incurred to execute the land exchange, shall be negotiated between the Secretary and the Port.

(g) **EXISTING RIGHTS.**—The conveyance of Federal land under this section shall be subject to valid existing rights of third parties. In the alternative, the Secretary of Agriculture may grant substitute permit rights of equivalent utility to use other Federal land.

(h) **COMPLETION OF LAND EXCHANGE.**—The Secretary of Agriculture shall complete all legal and regulatory processes required in connection with the conveyances under this section and complete the closing of the conveyances within 16 months after the date of the enactment of this Act.

**SEC. 812. HUNCHBACK MOUNTAIN LAND EXCHANGE, CLACKAMAS COUNTY.**

(a) **CONVEYANCE REQUIRED.**—The Secretary of Agriculture shall convey to Clackamas

County, Oregon (in this section referred to as the “County”), all right, title, and interest of the United States in and to a parcel of National Forest System land in the Mount Hood National Forest consisting of approximately 160 acres, as depicted on the map entitled “Hunchback Mountain Land Exchange-Clackamas County” and dated June 2006.

(b) **CONSIDERATION.**—As consideration for the conveyance under subsection (a), the County shall convey to the United States all right, title, and interest of the County in and to a parcel of land consisting of approximately 160 acres, as depicted on the map referred to in subsection (a). The acquisition of this parcel will ensure the continued integrity of the forested land, a substantial portion of which exceeds 120 years in age, and the public’s access to the parcel.

(c) **EQUAL VALUE EXCHANGE.**—The values of the land to be exchanged under this section shall be determined pursuant to an appraisal acceptable to the Secretary of Agriculture and the County. If the values are not equal, they shall be equalized in the manner provided in section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

(d) **COMPLIANCE WITH EXISTING LAW.**—Except as otherwise provided in this section, the Secretary shall carry out the land exchange under this section in the manner provided in section 206 of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1716).

(e) **CONDITIONS ON ACCEPTANCE.**—Title to the non-Federal land to be acquired by the Secretary of Agriculture under this section must be acceptable to the Secretary, and the conveyances shall be subject to valid existing rights of record. The non-Federal land shall conform with the title approval standards applicable to Federal land acquisitions.

(f) **LEGAL DESCRIPTIONS.**—The exact acreage and legal description of the land to be exchanged under this section shall be determined by surveys satisfactory to the Secretary of Agriculture. The costs of any such survey, as well as other administrative costs incurred to execute the land exchange, shall be negotiated between the Secretary and the County.

(g) **EXISTING RIGHTS.**—The conveyance of Federal land under this section shall be subject to valid existing rights of third parties. In the alternative, the Secretary of Agriculture may grant substitute permit rights of equivalent utility to use other Federal land.

(h) **COMPLETION OF LAND EXCHANGE.**—The Secretary of Agriculture shall complete all legal and regulatory processes required in connection with the land exchange under this section and complete the closing of the land exchange not later than 16 months after the date of the enactment of this Act.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

**GENERAL LEAVE**

Mr. WALDEN of Oregon. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. WALDEN of Oregon. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to present to the House the Mount Hood Stewardship Legacy Act. I want to thank Resources Committee Chairman Richard Pombo for his support of this legislation and his assistance in our work to move it forward at this time. I also want to express my appreciation to my Oregon colleagues, EARL BLUMENAUER, PETER DEFazio and DARLENE HOOLEY for their work on the Mount Hood Stewardship Legacy Act, H.R. 5025.

Together, we have crafted a bipartisan, locally written and widely supported plan to protect the special places on Mount Hood for future generations to enjoy, while working to improve access, recreation, forest health and watersheds. We have worked with the Confederated Tribes of Warm Springs to fulfill treaty trust obligations and we have worked with local interests to resolve a nearly 30-year battle over development in the Upper Hood River Valley. This measure comes to the floor today in shape to become law at any time.

I want to thank EARL BLUMENAUER for his leadership in starting this process nearly 3 years ago when he suggested that he and I could work together to consider the issues and pressures facing Oregon's icon, Mount Hood. Perhaps because our history goes back to the 1970s, we were able to rekindle a little bit of that Oregon spirit and dream by working together to develop a shared vision for Mount Hood, using a very public and collaborative process.

I appreciate the detailed analysis that the Forest Service has put into carefully reviewing the Mount Hood Stewardship Legacy Act. Likewise, I appreciate the technical comments from groups like the American Forest Resource Council, the Campaign For America's Wilderness and American Rivers, the State of Oregon and the five county governments that are directly impacted by what takes place in the Mount Hood National Forest.

Colleagues, H.R. 5025 is a balanced plan that not only protects extraordinary places for future generations, but also will lead to improved forest health conditions across a broad region of a forest that, frankly, in some areas is in trouble. Our measure seeks to protect water quality and quantity, while enhancing recreational opportunities for an ever-growing population. We address transportation needs and encourage continued public collaboration.

The current version of the bill we will discuss here today is draft number 10 and was drafted from a concept paper presented to the public in two forums in December of 2005, one in Hood River, Oregon, and one in Portland, Oregon. The concept paper was drafted following two public summits which drew about 250 participants each. They specified or looked at challenges facing the Mount Hood National Forest conducted in August of 2003 and 2004. And we had a 2-day roundtable discussion at Timberline Lodge in July of 2005 where

we had 50 key stakeholders. Then we followed that up with a 41-mile backpacking trip just about a year ago.

When approved by the Congress, this legislation will provide the largest addition of forest wilderness to America's inventory in the last 3 years, the first additional wilderness classification on Mount Hood in the last 22 years and a 40 percent increase over existing designations. It will resolve a 30-year-old land management dispute in the Hood River Valley, and it designates 26 miles of wild and scenic rivers. It also calls for improved forest health conditions across a landscape that is in trouble.

But let me be very clear about our intent for this legislation. We intend it to increase the amount of wilderness, but we intend that that adhere strictly to the 1964 Wilderness Act, increase the amount of Wild and Scenic Rivers on the Mount Hood National Forest, while in total agreement that these designations not reduce the amount of land that is specifically identified for timber emphasis harvest nor would they deliberately result in future land management conflicts.

If recreational activities, such as snowmobiling, were to take place within view or earshot of a wilderness, then that activity would still be allowed to continue.

Any landowners with private inholdings incorporated by the designations would be granted full access to their lands, although we don't believe there are any.

We require the Forest Service to develop and implement through existing authorities a 10-year assessment to address bug-infested, disease-ridden and heavily overstocked trees and to take action using site-specific, environmentally reviewed, and publicly noticed projects to improve these areas to the optimum condition class.

Where memorandums of understanding or legislative authorities do not currently exist between irrigation districts or municipalities and the Forest Service, the Forest Service would be directed to enter into MOUs that outline stewardship goals to manage watersheds for water quality and water quantity.

Existing development footprints are the best places to enhance recreational opportunities and maximize future potential. These areas could potentially include the footprints of Government Camp, Ski Bowl, Timberline, Mount Hood Meadows, and lands allocated A-11 under the approved forest plan. Also if there are roads slated to be closed, they should be considered for other recreational uses.

Establish a recreation working group comprised of local stakeholders to advise the Forest Service on planning for future recreational enhancements.

Develop an integrated transportation network that brings people to and from Mount Hood National Forest and safely transports people from place to place on the mountain.

We would require the Forest Service to enter into MOUs with Native Amer-

ican Tribes to provide for huckleberry picking and other customary and traditional harvesting of "first foods" to ensure healthy stands of huckleberries and other traditional plant species.

We encourage cooperation with Mount Hood's local communities, counties, the State, the Tribes, and Federal land agencies to identify common ground, coordinate planning efforts around the mountain and make the Federal Government a better partner in building cooperative and lasting solutions.

Last summer, EARL and I made history as probably the only bipartisan backpacking duo in the Congress to make the journey around Mount Hood. Over the course of 4 days and 3 nights, we hiked 41 miles, climbed and descended 9,000 feet, and along the way saw firsthand the mountain from every perspective, including the one my ancestors saw 161 years ago this fall when they completed their wagon train journey to the proposed land of Oregon.

It is in this spirit of promise for a better future, nurtured by an on-the-ground appreciation, that we bring you this legislation and ask for your support.

Finally, I will include for the CONGRESSIONAL RECORD an exchange between Congressman POMBO of the Resources Committee and Chairman GOODLATTE of the Agriculture Committee. I thank Chairman GOODLATTE for his cooperation in helping this bill be considered today.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON AGRICULTURE,  
Washington, DC, July 21, 2006.

Hon. RICHARD POMBO,  
Chairman, Committee on Resources,  
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for forwarding a draft copy of H.R. 5025, the Mount Hood Stewardship Legacy Act, which the Committee on Resources favorably reported. As you know, the Committee on Agriculture received an additional referral.

Because of your wish to expedite this legislation and the history of cooperation between our Committees on these matters, I will agree to discharge H.R. 5025 from further consideration by the Committee on Agriculture. The Committee on Agriculture will discharge the bill with the understanding that discharge does not waive any future jurisdictional claim over this issue or similar measures. Furthermore, in the event a conference with the Senate is requested on this matter, the Committee on Agriculture reserves the right to seek appointment of conferees.

Again, I am grateful for the cooperative spirit in which you have worked regarding this matter and others.

Sincerely,

BOB GOODLATTE,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON RESOURCES,  
Washington, DC, July 26, 2006.

Hon. BOB GOODLATTE,  
Chairman, Committee on Agriculture,  
Washington, DC.

DEAR MR. CHAIRMAN: On July 19, 2006, the Committee on Resources ordered favorably reported with amendments H.R. 5025, the Mount Hood Stewardship Legacy Act. The bill was referred primarily to the Committee



on Resources, with an additional referral to the Committee on Agriculture. I have forwarded a copy of the Committee-adopted amendment to your staff for review; it includes the language in Title V of the bill that was agreed to by our staff.

The author of the bill, Congressman Greg Walden, would like to see it considered on the Floor before we adjourn for the August District Work period, and Leadership has indicated its willingness to help. With this very tight timeline, I ask that you allow the Committee on Agriculture to be discharged from further consideration of the bill so that it may be scheduled under suspension of the rules as soon as possible. This discharge in no way affects your jurisdiction over the subject matter of the bill and it will not serve as precedent for future referrals. If H.R. 5025 or a similar bill is conferred with the Senate, I would support naming Committee on Agriculture members to the conference committee. Finally, I would be happy to insert this letter and your response in the Congressional Record when the bill is considered in the House of Representatives.

Thank you for your consideration of my request, and I look forward to bringing H.R. 5025 to the Floor soon.

Sincerely,

RICHARD W. POMBO,  
*Chairman.*

□ 1415

Mr. Speaker, I will include at this point in the RECORD Chapter 9 of a book, an autobiography and reminiscences of Sara J. Cummings, my great, great grandmother, who made that trek 161 years ago. It details in this chapter how they nearly perished on that mountain in the snowy October blizzard.

#### CHAPTER IX

##### WE CROSS THE CASCADE MOUNTAINS AND ARE LOST FOR ELEVEN DAYS

My husband and Mrs. Welch's three sons were to drive the stock. After some deliberation it was decided that my brother, Lemuel, should accompany them. That decided my case. I, too, would accompany them. To this there was a strong remonstrance but my will was not to be swayed in that matter. Mother wept but I told them of my fears concerning their frail boats to stem the current of that raging river, for we had seen the Celilo Falls. Father and my husband had gone as far as the Cascade Falls. After some consideration of the matter she finally became more reconciled. Soon as all the arrangements were completed we gathered the stock, counted them, and started out on our perilous journey. This was on the first day of October, 1845.

I forgot to mention that we were to be assisted by one of father's hired men, the same Marion Poe who had traveled with us from the first day of our journey. On the day of our departure I placed my new Spanish saddle that was bought for me in St. Louis, on my strong and trusty young nag, and, with parting tears and good-byes, we dared the wilderness and the desert.

We were substantially provided with food as a good horse was loaded with all necessary provisions, but on the second day out from The Dalles Poe was left to bring the pack horse while we were rounding the stock in the direction of our destination and again he met a band of straggling Indians. As he attempted to talk to them they deliberately led the pack horse into ambush and half an hour later we returned from the various courses that had called us away and found Poe riding dejectedly along, with nothing to prevent us from starving. We would have re-

turned to The Dalles but the others were already two days journey down the river and we were not prepared to replenish the stores. So it was left us to attempt the mountains without food, except beef.

After another day or two we heard loud hallowing behind us. The sounds were not such as to cause alarm and soon it was seen to come from a party of five, young men and one old trapper. These parties were not cumbered with baggage and thought to go on ahead and select camping places and kill game. Learning of our loss the Smith boys kindly divided stores as far as we would permit them, giving me nineteen biscuits and a small rash of bacon. A small portion of tea and sugar was tied on my saddle so we had a comfortable supper.

The traveling was slow and toilsome. Heavy fall rains were coming on and the steep slopes were almost impassable for man and beast. On the sixth day we became entangled in a thicket of vine-maples and were compelled to turn back to our camping place of the previous night. Next day we found it impossible to proceed through the dense growth of Mountain Laurel. The cattle ate freely of this shrub and were so poisoned that we dared not eat the meat.

The old gentleman, Mr. Carson, had been chosen guide and he was misled by the Indian trails that led to the berry patches far up on the slopes of Mount Hood. So we had been making little progress toward the place of our destination. One morning we awoke in a blinding snowstorm. We toiled along the whole day through without seeing a tree or a spear of grass. Our course seemed to be up a gradual steep slope. As night was coming on it seemed we must all perish, but weak, faint and starving we went on. The stronger men now led the way and left relays to shout back so that we might follow them. My husband and I were the last in the line. The strongest horses had given out before noon and we were compelled to walk and lead our riding nags.

The loose stock became so weak and discouraged that we left them altogether, but the poor lost creatures followed along for most of the afternoon. Our situation was each moment becoming more desperate. The only hope of our lives lay in finding shelter and wood for a fire. The few pieces of bed clothing that were tied on our saddles were wet and our garments were dripping wet through and through with the snow that had fallen on us all day long and had melted and thoroughly drenched every garment that we wore. As the evening light illumined the receding storm clouds we realized our hazardous situation as never before and we turned our course down the mountainside. Fortunately for us there were no shadows and the eternal snows cast a white light that was sufficient to guide our feet, even after the day had drawn to a close. We were now crossing the line from the eternal snows into that newly fallen and, as our weary feet sank into the sand that underlay the new snow, hope deserted us, yet on and on we went. At a few minutes before 10:00 o'clock that night we were walking on firmer ground, the wet snow being about a foot deep. I was so faint and weak that I could scarcely put one foot before the other and was dragged along by my husband. One man was leading a fine young horse of which he had taken great care, and leading the animal near my side insisted that I ride. My husband lifted me on the horse but not one step would the poor beast take although I weighed less than eighty pounds at that time. The men then placed my brother on the horse's back but with the same result. My husband was now leading me along and lifted me over the obstructions of the path. We were of course the last in the line of relays and the welcome

sound of "we have found wood," was wafted to our ears. This gave us a renewed energy and by an almost super-human effort we at last reached the assembled group. No sign of a fire was to be seen and most of the men and all the boys were shedding tears. We were told that not a man could be found whose hands had strength to fire a gun, and not a dry thread of clothing for kindling. All were panic stricken and all hope seemed abandoned.

My husband had been exerting all his power in assisting me along and as soon as he realized the situation he seized the gun and fired it into the little bunch of kindling the men had prepared, but no fire resulted. He now made every man present haul off his coat and in the inner lining of Mr. J. Moore's coat a small piece of dry quilted lining was found. This was placed in a handful of whittlings, and as the gun was reloaded all realized that upon that charge depended our lives. With almost super-human effort Mr. Walden succeeded in firing the gun and in an instant the flames burst forth. A great shout of thanksgiving burst forth and each poor suffering traveler crowded as near as possible to the welcome fire.

I was so exhausted and discouraged that I sat down on a hummock and was perfectly indifferent as to the result. But soon as there was sufficient warmth my husband led me to the fire side. No sooner had the warmth penetrated my wet and freezing garments than such excruciating pains seized me that I was wild with pain and could not forbear the scream that rent the air on that wild mountain. There was nothing to be done and I had to endure this suffering until the clothing on my body was dry and the chill of frost drawn out of my limbs.

My saddle horse was the only animal that was brought into the camp and soon my bedding was spread up to dry, and while the great pitch pine trees were consumed with fire the group of weary travelers were soon fast asleep. Mr. Walden presented me with a biscuit, one that he had carried since our morning meal, fearing that some such extremity might overtake us. The morsel of food renewed my strength and as the warm woolen blankets were wrapped snugly around me I reclined near the great heap of glowing logs and felt that God in his great mercy would yet guide us safely into the land of our adoption. We slept soundly and awoke to find the sky cloudless, clear and aglow with the light of the morning sun. The only hope of our lives now lay in the men finding the cattle that one might be used for food, as not a morsel now remained of any sort and some of us had been stinted for more than a week.

All arose and, after due deliberation, it was decided that I should remain with the two boys, my brother Lemuel, and Mrs. Welch's son. All the others were to go in quest of the stock. We watched the weary procession as they disappeared over the distant slope and the boys would have given up to tears, but that hope which precludes despair was ever present in my heart and, after obeying the instruction to "Keep a good fire and smoke going, as it may prove a guide to our return," I proposed that we go to the summit of a near ridge and look beyond and in the direction of our anticipated home. In our wanderings I became separated from the boys.

My attention was wholly devoted to the majestic hue of Mount Hood as seen from that high Southern slope. We were far above the timber line and the prospect was great. We were at the edge of vast snow fields and looking upward towards the summit I saw an unusually black looking spot, and after clambering up many hundreds of feet I came upon what seemed to be an extinct crater, and near what seemed to me to be the summit of a mountain. I anxiously hoped to see

smoke issue therefrom. I sat down, lost in thought and admiration of the beautiful and wonderful view that opened before my eyes.

The sky was cloudless. The storms of the previous day had so cleared the air of dust and impurities that my horizon was boundless, and this, my first, prospect of everlasting green forests and their wonderful vividness, green on all the near approaches and changing with wonderful blend from green to ethereal blue, and on the distant margin rested the shade of blue, so intense, so indescribably beautiful that no power of words can express the wonderful panorama of beauty with which my soul was entranced. Seated on eternal snow, looking from over these mountains and hills, across wide valleys into dark glens, above the roar of wind or of water, I was lost in infinity.

Time speeded by without my conscious measurement. It was now about 12:00 o'clock in the day. The descent proved long and tedious. I went in search of the boys and found them busily engaged rolling boulders down the mountainside to hear the crash of their descent and the thud of their landing in the depths of some forested canyon far beneath our feet. By persuasion I convinced them of the dangers of their amusement, and we walked in various directions viewing the curious and wonderful things about us. At some distance from us we saw a curiously colored copse and on approaching nearer we found it to be a dense growth of small green bushes loaded with masses of small purplish berries growing on slender twigs. The fruit was odorless and of a tempting look. I feared to eat them although they were as fragrant as ripe apples, but, venturing a taste, I found them delicious. I plucked some branches and carried them to our camp fire and tested them again and again until I decided they were harmless. The boys and I ate freely of them. Our hunger and thirst was appeased and we realized the nutritious effect. We now carried and laid by the campfire a fine stock of the berries to await the return of the weary and starving men folks, should they be so fortunate as to reach us when nightfall should overtake us.

Just before sunset the men and beasts were seen crossing a distant ridge. Instinct seemed to have directed the weary, chilled beasts to climb a distant ridge where they found shelter under a towering cliff. The men found them huddled together. The horses and cattle were in one group apparently afraid to venture out in the snow. The grand rock roof and sandy floor protected them from cold and storm, and but for the tinkle of their bells they might have perished. As it was they had been quite comfortable for the night. Not far from our camp was some short grass and leafy shrubs on which they could browse. Our saddles, budgets, and bed-clothing had rested safely on the backs of our weary beasts.

Early next morning we resumed our journey, having butchered a beef which we could not eat on account of the poisoned laurel. One of the men had named the fruit which we produced, huckleberries, and from these we made our only breakfast food. My own party had been fourteen days with only nine hard-tack biscuits and four small slices of bacon. The Smith boys and all the others in the crowd were also about out of food, and it was decided to make forced marches in the direction of Oregon City, which, from this treeless height, we judged to be nearly West of us.

We kept the stock with us until we reached the grass lands at the head of Sandy River. Each one then decided to go in quest of food as the men were becoming desperate and had lost all fear of wild beasts so that even the sight of a grizzly bear would not have frightened us. Our horses were now so weak that

my husband could not ride any one of them only a few rods at a time. My case now developed the last stages of starvation.

Just after dark we reached the river where it was now quite a broad stream, rolling and tumbling over high boulders. I tried to urge my pet riding nag into the water but it was no use. On the opposite bank we saw a small fire burning and rightfully judged it to be some lagging member of our advanced party. My husband desired to cross, hoping to find something for our starving nags to eat.

After awhile we heard the sound of a human voice. It proved to be Mr. Allen Miner, a young man who had left the party early in the morning and had walked all day in advance of us. He had crossed the river in daylight. He called our horses by name and at this they plunged into the raging stream. My saddle girth broke and I had to hold by the mane and balance myself as Dolly would swim the deep channels, mount the rugged rocks or plunge over the sand bars, but, by the mercy of God, husband and I found ourselves safely across. Allen had a bright fire to welcome us and had killed a bird which he had broiled, and this he shared with us.

We rested until daybreak. The horses had lain all night by the fire and we had great difficulty in getting them up by daybreak. Allen Miner now took the two boys, Mrs. Welch's son and my brother, Lemuel, and forged ahead in search of food. Husband and I went on as fast as our weary limbs would carry us. Most of the party reached the home of Peter Hatch about 2:00 o'clock on that afternoon. They were given some food and were put to bed. Husband and I came in sight of their lights, for Mrs. Hatch kept a tallow candle burning in the window and outside of the house a good fire of logs that we might be guided to their place.

I now took off my blanket dress and put on my spick and span new dress and corded sun-bonnet which I had carried safely on my saddle, and thus arrayed, by my husband's help, I staggered into the door. Mrs. Hatch caught me in her arms and her first words were, "Why dear woman, I supposed your clothing had been torn off your body long ago."

We were seated by the fire. She bathed our weary limbs, and after we had rested a few moments, seeing our starved, wan look, she apologized for having but one potato baked with salt and a little butter for each. She then entertained us with pleasant conversation and put more potatoes to bake. In less than an hour's time we were served with baked potatoes, wheat, butter, and a small slice of bread. We then retired for the night.

We awoke early with ravenous appetites. Mrs. Hatch was aware of this, and, knowing the danger of our condition had wisely stinted our meals. Our breakfast was more substantial. They had beef of excellent quality and on this day we were given four meals, and each one recovered from this nineteen days of want with no serious after effects.

My husband and the others were equally blest but they did not rest contentedly as all our prospects for making a home in the newly settled region was in finding our poor stock and teams. As soon as they were able to go on the trail a good supply of food was prepared and returned to the stock and were blest in finding every one of the animals in better condition and grazing in a friendly herd, horses, oxen and stock cattle. Not a hoof was missing and within a week's time we were surprised to see them all brought safely to the end of our journey.

Mrs. Peter Hatch continued to supervise our necessities and in all the world there could not be found a woman more capable and more willing to make her fellow-beings happy and comfortable. Later I shall give a short tribute to this noble lady.

A few days rest restored the strength and vitality to our weary bodies and the first

thought was to secure employment for the winter. The pasturage was free and we left the poor animals to recuperate for winter while we prepared to work for Dr. McLaughlin at his saw mill on the Tualatin river. After two months work we learned that we were to receive nothing for our work that fall and we returned to Oregon City where we learned that father, mother, and all our friends with whom we had parted at The Dalles, were safely established in good houses at the old foundry works on the Willamette river. Father came right up to see us and took the stock home with him. Mr. Walden rented rooms in Oregon City and we remained there all winter. I had for near neighbor, Mrs. J. Welch who afterwards moved to Astoria and remained there a respected lady and the mother of a noble family.

The environs of our new home, surrounded by giant fir trees, the healthful sea breezes, the strange sights and sounds were sources of continual thought. The long distance that separated us from our old home in the Mississippi valley, precluded any form of home sickness and our united efforts were wholly set upon the building of a home.

As yet we had seen nothing of the land claims which had been the lure of our most sanguine hopes, but the first effort of our lives was wholly devoted to the acquirement of the necessities of life.

Of our winter in Oregon City and the subsequent experiences, I will tell you in the next chapter.

Mr. Speaker, I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield myself such time as I may consume.

(Ms. BORDALLO asked and was given permission to revise and extend her remarks.)

Ms. BORDALLO. Mr. Speaker, as the majority explained, H.R. 5025 designates approximately 77,216 acres of National Forest System lands in the Mount Hood National Forest as wilderness.

The legislation also designates about 25 miles of waterways as part of the National Wild and Scenic River System, creates a system for fee retention on the Mount Hood National Forest, requires the Secretary to prepare a 10-year forest stewardship assessment, and sets up three land exchanges.

Mr. Speaker, I would like to recognize my colleagues from Oregon, Representatives EARL BLUMENAUER, PETER DEFAZIO and DARLENE HOOLEY, who are all cosponsors of H.R. 5025.

In particular, Mr. BLUMENAUER has worked tirelessly over the past several years to craft and advance this legislation. Mr. Speaker, we support the pending measure.

Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in permitting me to speak on the bill. I, too, would like to thank Chairman POMBO, Ranking Member RAHALL, Subcommittee Ranking Member UDALL, and the staff of the committee that they worked with, and colleagues PETER DEFAZIO and DARLENE HOOLEY for helping bring this legislation to the floor today.

The Mount Hood Stewardship Legacy Act represents a tremendous amount of

hard work by 1,000 Oregonians who found common ground on the critical issues facing our State's icon, Mount Hood.

Mr. Speaker, I want to especially thank my colleague and subcommittee chair, Mr. WALDEN, for working with me for more than 3 years on this legislation, and for his idea that we actually hike around the mountain. It was a fitting capstone to a really extraordinary opportunity to work together, to strengthen a friendship, and be able to focus on something that is so important to our State.

Together, we enlisted extensive involvement of citizen groups, environmental organizations, recreational advocates, public agencies, tribal representatives, and local governments to create a bill that establishes a long-term sustainable vision for the mountain and addresses the immediate challenges of wilderness protection, recreation, transportation, forest health, water quality, development, and Native American rights.

It seems so simple today, as we come forward, not just with the Mount Hood wilderness bill, but with a comprehensive vision for the future of Mount Hood. The plan makes sense. The pieces fit together in logical ways. But it seems so simple only because 1,000 people, public servants, academics, expert stakeholders, volunteers and people who just plain care about the mountain were willing to roll up their sleeves and invest 3 years to work with my partner, GREG WALDEN, and me, to make this happen.

I must also acknowledge three other critical people, who were invested in this, in this body and soul, Colby Marshall, on Congressman WALDEN's staff, Janine Benner and Hillary Barbour on mine. They were a team in Washington, D.C., they were a team in Oregon, and they were a key part, literally, in joining us around the mountain. We would not be here today without their efforts.

We began drafting with a document that contained core principles and concepts. The ideas were developed through the elaborate public process that my colleague, Congressman WALDEN, just outlined, and that great 41-mile hike around the mountain.

It was through these meetings with interested parties, thousands of public comments, that we further refined the principles and then translated them into the legislation, which was introduced this spring. Following the Forest Subcommittee hearing in April, we continued working with stakeholders, the Forest Service, our colleagues from both parties, staff people, to refine the language and clarify the intent.

Mr. Speaker, it has been a long hard effort, but it has been worth it, because the stakes for Mount Hood and the Pacific northwest have never been higher. It is not just an icon for both our home towns of Hood River and Portland, it is the single most important recreational resource in Oregon. A million people

depend upon the integrity of the mountain for their drinking water. And it is a place of retreat for tens of thousands of people every year.

There are hundreds of people who call the mountain their home, and we have historic treaty and moral obligations to Native Americans for whom the mountain has special spiritual and practical significance.

By solemn treaty rights, they are owed their due for gathering first foods, hunting, fishing and for spiritual observances.

This bill deals with the important elements that will profoundly affect Oregonians for generations to come. First and foremost, over 77,000 acres of pristine wilderness will be protected, a 40 percent increase in wilderness inventory.

Over 25 miles of river will be protected as "wild and scenic." This bill will protect the pristine quality of these areas that people hold so dear.

It is not by any stretch of the imagination the last word on wilderness, but it does break down the log jam that has prevented wilderness from moving forward for over 20 years.

We have dealt with the very complicated and challenging issue of recreation. Our legislation will ensure that people who love to snowshoe, ski, mountain bike, snowmobile and hike will have access, but we are also making sure that we will all not collectively be loving the mountain to death.

We have laid the groundwork to address the mountain's transportation challenges in a way that will both ensure the safety of the mountain's visitors and residents, while at the same time moving more people but in fewer cars to and from key recreation destinations.

Even the 3,449 miles of forest roads that are currently in uneven states of repair and without adequate resource provide the basis for a potential unparalleled system of bicycle facilities. We will help the Forest Service work with local communities to address forest health and water shed issues. We will enhance the ability of Native Americans to gather first foods and exercise their treaty rights.

We address long simmering disputes about where development on the mountain should take place. For example, the Cooper Spur land exchange settles a 30-year dispute on the north side of the mountain, and is widely supported by conservation groups, citizens, and the ski industry and county government.

Its implementation keeps development on the south side of the mountain where infrastructure already exists, while protecting the pristine north side in perpetuity. With this legislation, we honor the historic mediated settlement between the parties and we now appear to be within reach of a long-term solution that is in everyone's best interest.

Today, Mr. Speaker, is one of the most important days in the modern history of Mount Hood. We have proven

that the many people who care can put the pieces together in a finely-balanced fashion that produces a blueprint for the next century, while enhancing current uses and being true to the mountain legacy we all hold so dear.

This is the most progress we have seen in either the House or the Senate in over 20 years. I am hopeful that our friends in the other body will seize the day. If they choose to act this week, the President can sign this bill into law before Labor Day, assuring the single most important step in crafting and implementing the legacy of Mount Hood for the next century.

Ms. BORDALLO. Mr. Speaker, I wish to thank Mr. WALDEN and Mr. BLUMENAUER from Oregon for their support of this legislation. We support this legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. WALDEN of Oregon. Mr. Speaker, in conclusion, I want to thank my colleague from Oregon especially, Congressman BLUMENAUER. We have had a great partnership over 3 years working on this legislation to bring it to this point, building it from the ground up. And we could not have done it without the very talented staff that he referenced in his remarks, Colby Marshall, Janine Benner and Hillary Barbour. They have just been terrific troopers, helping us every way, and went on the backpack trip with us, but let the record show clearly, we each carried our own packs along the trail. And my wife and son also accompanied us on that backpack trip.

It was a great way to learn about the mountain and see it firsthand. It is truly a remarkable place and great piece of America. I hope others will come and enjoy it as we have.

Mr. Speaker, I yield back the balance of my time and ask for your support for this very important and progressive legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 5025, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### HOLDING CERTAIN LANDS IN TRUST FOR THE UTU UTU GWAITU PAIUTE TRIBE

Mr. WALDEN of Oregon. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 854) to provide for certain lands to be held in trust for the Utu Utu Gwaitu Paiute Tribe, as amended.

The Clerk read as follows:

H.R. 854

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*